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PATTI & BRILL ONE NORTH LASALLE STREET 44TH FLOOR CHICAGO, IL 60602			EXAMINER PEREZ, ANGELICA	
			ART UNIT	PAPER NUMBER
			2684	
			DATE MAILED: 04/22/2004	

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Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/900,937

Applicant(s)

AKHTERZZAMAN ET AL.

Examiner

Angelica M. Perez

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on 09 July 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

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### DETAILED ACTION

1. Applicant's arguments with respect to claims 1-23 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-13 and 17-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aburai (Aburai et al., US Pub. No.: 0,090,953) in view of Kowaguchi (Kowaguchi, Satoshi; US Patent No.: 6,201,973).

Regarding claims 1 and 17, Aburai teaches of a method (page 1, paragraph 0004) and computer-readable signal bearing medium that comprises a computer readable program code (page 8, column 16, lines 1-43) comprising the steps of: storing, in a communication device, location information for one or more designated geographical areas (e.g.; "usage area information stored in an information control center"; pages 1 and 2, paragraph 0007); determining, by the communication device, when the communication device is within one of the one or more designated geographical areas (e.g., "positional information of the mobile device"; paragraph 0005, lines 30-39); preventing activation of an audible incoming call indicator in the

communication device while the communication device is within one of the one or more designated geographical areas (e.g., transmitting a prohibited mode control signal to the mobile device"; paragraph 0006, lines 41-51); and

Aburai does not teach of preventing one or more outgoing calls from the communication device while the communication device is within one or more designated geographical areas.

In related art concerning transmission inhibition of a mobile communication apparatus, Kowaguchi teaches of preventing one or more outgoing calls from the communication device while the communication device is within one or more designated geographical areas (columns 1 and 2, lines 5-8 and 5-11, respectively; where "transmission inhibition" ensures that no "outgoing calls" take place).

It would have been obvious to a one of ordinary skill in the art at the time the invention was made to combine Aburai's preventing activation of an audible incoming call indicator with Kowaguchi transmission inhibition feature to prevent outgoing calls in order to ensure complete noise-free and wave-free restricted areas for the safety and comfort of the area.

Regarding claim 2, Aburai in view of Kowaguchi teaches all the limitations of claim 1. Aburai further teaches where the location information is stored as one or more coordinates defining boundaries of the one or more designated geographical areas (e.g., the boundaries comprising "latitude", "longitude" and "altitude"; page 1, paragraph 0007).

Regarding claim 3, Aburai in view of Kowaguchi teaches all the limitations as stated in claim 1. In addition, Aburai teaches where at least some of the location information is stored for the duration of an event (e.g. the duration of the event is determined by the "restricted time zone"; page 4, paragraph 0030, lines 63-66 and 5-9).

Regarding claims 4 and 18, Aburai and Kowaguchi teach all the limitations as stated in claims 1 and 17, respectively. In addition, Aburai teaches where the location information is transmitted to the communication device by an infrastructure of a communication system (figures 1 and 2, item 105 and page 3, paragraphs 0022 and 0023, lines 29-66 and 1-10).

Regarding claim 5, Aburai in view of Kowaguchi teaches all the limitations of claim 1. Aburai also teaches where the location information is transmitted to the communication device when the communication device enters a coverage area of a cell site and the one or more designated geographical areas are within the coverage area (e.g., when the mobile user enters a "restricted area" the control center issues a signal to the terminal device; page 2, paragraph 0020, lines 62-66 and 1-7).

Regarding claims 6 and 19, Aburai and Kowaguchi teach all the limitations of claims 1 and 17, respectively. In addition, Aburai teaches where the step of preventing comprises switching the audible incoming call indicator to a vibrating incoming call indicator (page 1, paragraph 0006, lines 50-51).

Regarding claims 7 and 20, Aburai and Kowaguchi teach all the limitations as stated in claims 1 and 17, respectively. Aburai further teaches the step of displaying a

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message on a display for the communication device indicating that the communication device is within one of the one or more designated geographical areas (figure 6).

Regarding claims 8 and 21, Aburai in view of Kowaguchi teaches all the limitations as stated in claims 1 and 17, respectively. Moreover, Aburai teaches the step of informing the infrastructure when the communication device is within one of the one or more designated geographical areas (figure 7, items 701, 702 and 703).

Regarding claim 9, Aburai in view of Kowaguchi teaches all the limitations of claim 8. Furthermore, Aburai teaches the step of intercepting calls intended for the communication device while the communication device is within one of the one or more designated geographical areas (figure 8, items 810 and 811).

Regarding claim 10, Aburai in view of Kowaguchi teaches all the limitations as stated in claim 9. Aburai further teaches the step of sending missed call messages to the communication device for any calls received while the communication device is within one of the one or more designated geographical areas (figure 8 item 812 and page 4, paragraph 0033, lines 52-57).

Regarding claims 11 and 22, Aburai and Kowaguchi teach all the limitations as stated in claims 1 and 17, respectively. Aburai further teaches the steps of determining, by the communication device, when the communication device is no longer within the one of the one or more designated geographical areas and automatically reactivating the audible incoming call indicator in the communication device when the communication device is no longer within the one of the one or more designated geographical areas (page 5, paragraph 0035, lines 5-9).

Regarding claim 12, Aburai and Kowaguchi teach all the limitations of claim 8. In addition, Aburai teaches the steps of determining, by the communication device, when the communication device is no longer within the one of the one or more designated geographical areas and informing the infrastructure when the communication device is no longer within one of the one or more designated geographical areas (page 5, columns 9 and 10, lines 21-28 and 5-9, respectively).

Regarding claims 13 and 23, Aburai and Kowaguchi teach all the limitations as stated in claims 1 and 17, respectively. Aburai also teaches where the step of determining comprises determining when the communication device travels above a predetermined speed and considering such travel to be one of the one or more designated geographical areas (page 1, paragraph 0002, lines 37-42).

4. Claims 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aburai (Aburai et al., US Pub. No.: 0,090,953) in view of da Silva (da Silva US Patent No.: 6,496,703).

Regarding claim 14, Aburai teaches of a method comprising the steps of (page 1, paragraph 0004): transmitting, to a communication device, location information for one or more first designated geographical areas where use of audible incoming call indicators is restricted (e.g., "GPS" provides the location information to the mobile device when it enters a "restricted area". Also, the first designated geographical areas correspond to the restrictions audible incoming calls "according to the contents of the limitation request set in the information database"; page 1, paragraph 0002, lines 42-47); receiving, from the communication device, an indication that the communication

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device is within one of the one or more designated geographical areas (e.g., system receives information "from mobile device" in order to collate it with the reference location information; paragraph 0041, lines 42-48); intercepting calls intended for the communication device while the communication device is within one of the one or more first designated geographical areas (paragraph 0041, lines 51-53).

Aburai does not specifically teach of location information for one or more second designated geographical areas where outgoing calls are restricted; receiving, from the communication device, information that communication device is within one or more first and second designated geographical areas; and intercepting calls intended for the communication device while the communication device is within one of the one or more second designated geographical areas.

In related art concerning a system for disabling a wireless communication system, da Silva teaches of location information for one or more second designated geographical areas where outgoing calls are restricted (column 7, lines 39-52; where the device conforms according to different "zones" customized according to particular restrictive needs). Receiving, from the communication device, information that communication device is within one or more first and second designated geographical areas (column 7, lines 39-46; where the "indication" is provided by either being unable to place an ongoing call or by receiving a restrictive message); and intercepting calls intended for the communication device while the communication device is within one of the one or more second designated geographical areas (column 7 lines 39-52).



It would have been obvious to a one of ordinary skill in the art at the time the invention was made to combine Aburai's restrictions concerning audible incoming calls with da Silva's outgoing calls restriction in order to satisfactorily fulfill the restriction needs of different locations.

Regarding claim 15, Aburai in view of da Silva teaches all the limitations of claim 14. Da Silva also teaches where the location information is transmitted to the communication device when the communication device enters a coverage area of a cell site and one or more of the one or more first and second designated geographical areas are within the coverage area (column 7, lines 39-52).

Regarding claim 16, Aburai in view of da Silva teaches all the limitations as stated in claim 14. Aburai further teaches the step of sending missed call messages to the communication device for any calls received while the communication device is within one of the one or more designated geographical areas (figure 8 item 812 and page 4, paragraph 0033, lines 52-57).

5. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Aburai in view of Kowaguchi as applied to claim 1 above, and further in view of da Silva US Patent No.: 6,496,703).

Regarding claim 24, Aburai in view of Kowaguchi teaches all the limitations as stated in claim 1.

Aburai in view of Kowaguchi does not specifically teaches where the step of preventing the one or more outgoing calls from the communication device while the communication device is within one of the one or more designated geographical areas

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comprises the step of: allowing one or more outgoing calls to one or more emergency numbers while the communication device is within the one of the one or more designated geographical areas.

In related art concerning a system for disabling a wireless communication system, da Silva teaches where the step of preventing the one or more outgoing calls from the communication device while the communication device is within one of the one or more designated geographical areas comprises the step of: allowing one or more outgoing calls to one or more emergency numbers while the communication device is within the one of the one or more designated geographical areas (column 9, lines 33-42).

It would have been obvious to a one of ordinary skill in the art at the time the invention was made to combine Aburai's and Kowaguchi's method with da Silva's allowing one or more outgoing calls to one or more emergency numbers while the communication device is within the one of the one or more designated geographical areas in order to take care of emergency calls in order to make unpredictable emergencies a priority.

6. Claims 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aburai in view of Kowaguchi as applied to claim 24 above, and in further view of Tomoike (Tomoike, Hiroyuki; US patent No.: 6,233,447 B1).

Regarding claim 25, Aburai in view of Kowaguchi teaches all the limitations as stated in claim 1.

Aburai in view of Kowaguchi does not specifically teach where the step of preventing activation of the audible incoming call indicator in the communication device while the communication device is within the one of the one or more designated geographical areas comprises the steps of receiving an indication from an infrastructure that the one of the one or more designated geographical areas comprises one or more high traffic areas; and preventing activation of the audible incoming call indicator in the communication device while the communication device is within one of the one or more high traffic areas.

In related art concerning restriction in mobile communication systems, Tomoike teaches the step of preventing activation of the audible incoming call indicator in the communication device while the communication device is within the one of the one or more designated geographical areas comprises the steps of receiving an indication from an infrastructure that the one of the one or more designated geographical areas comprises one or more high traffic areas; and preventing activation of the audible incoming call indicator in the communication device while the communication device is within one of the one or more high traffic areas (columns 2 and 3, lines 59-67 and 1-2; e.g., "traffic congestion").

It would have been obvious to a one of ordinary skill in the art at the time the invention was made to combine Aburai's and Kowaguchi's method with Tomoike's high traffic area in order to provide versatility of restriction operation to the system.

Regarding claim 26, Aburai in view of Kowaguchi teaches all the limitations as stated in claim 1. Tomoike also teaches where the step of preventing the one or more

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outgoing calls from the communication device while the communication device is within the one of the one or more designated geographical areas comprises the step of receiving an indication from an infrastructure that the one of the one or more designated geographical areas comprises one or more high traffic areas; and preventing one or more outgoing calls from the communication device while the communication device is within one of the one or more high traffic areas (columns 2 and 3, lines 59-67 and 1-2; e.g., "means of interrupting call processing" corresponds to the inability to place outgoing calls).

Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Aburai in view of Kowaguchi, further in view of da Silva and further in view of Tomoike (Tomoike, Hiroyuki; US patent No.: 6,233,447 B1).

7. Regarding claim 27, Aburai in view of Kowaguchi and further in view of da Silva teach all the limitations of claim 24.

Aburai in view of Kowaguchi and further in view of da Silva does not specifically teach where one or more of the one or more first designated geographical areas comprise one or more first high traffic areas, where one or more of the one or more second designated geographical areas comprise one or more second high traffic areas, wherein the step of transmitting, to the communication device, the location information for the one or more first designated geographical areas where use of audible incoming call indicators is restricted and the location information for the one or more second designated geographical areas wherein outgoing calls are restricted comprises the steps of transmitting to the communication device, location information for the one or

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more first high traffic areas wherein use of audible incoming call indicators is restricted; and transmitting to the communication device, location information for the one or more second high traffic areas wherein outgoing calls are restricted.

In related art In related art concerning restriction in mobile communication systems, Tomoike teaches where one or more of the one or more first designated geographical areas comprise one or more first high traffic areas, where one or more of the one or more second designated geographical areas comprise one or more second high traffic areas, wherein the step of transmitting, to the communication device, the location information for the one or more first designated geographical areas where use of audible incoming call indicators is restricted and the location information for the one or more second designated geographical areas wherein outgoing calls are restricted comprises the steps of transmitting to the communication device, location information for the one or more first high traffic areas wherein use of audible incoming call indicators is restricted; and transmitting to the communication device, location information for the one or more second high traffic areas wherein outgoing calls are restricted (columns 2 and 3, lines 59-67 and 1-2; e.g., "traffic congestion").

It would have been obvious to a one of ordinary skill in the art at the time the invention was made to combine Aburai's and Kowaguchi's and da Silva's method with Tomoike's high traffic area in order to provide versatility of restriction operation to the system.

***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

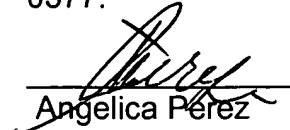
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angelica Perez whose telephone number is 703-308-8724. The examiner can normally be reached on 7:30 a.m. - 4:00 p.m., Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 703-308-7745. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2600's customer service number is 703-306-0377.

  
Angelica Pérez  
(Examiner)

  
NAY MAUNG  
SUPERVISORY PATENT EXAMINER

Nay A. Maung  
(SPE)

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April 16, 2004

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